

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

IN RE:)	
)	CHAPTER 7
CHRISTOPHER E. BANKS,)	
)	CASE NO. 20-10511-SDB
Debtor.)	
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CHRISTOPHER E. BANKS,)	
)	
Movant,)	
)	
v.)	
)	
CELINA DIETZ,)	
)	
Respondent.)	

RESPONSE TO NOTICE OF MOTION TO AVOID JUDICIAL LIEN

COMES NOW CELINA DIETZ, Respondent, and brings this Response to Debtor's Motion to Avoid Lien pursuant to 11 U.S.C. Section 522(f) and respectfully shows as follows:

Respondent obtained judgment against Debtor in the principal amount of \$40,000.00. Said judgment was reduced to a lien on the general execution docket of Richmond County, Georgia and recorded in Book 62, Page 566 on October 25, 2018. In his petition, Debtor listed his residence as 232 Mossy Brook Way, Augusta, Georgia 30907. Docket No. 1, p. 2. Debtor owns real property located at 2004 End Street, Augusta, Georgia 30909. Despite not living at the 2004 End Street property, Debtor claimed a homestead exemption of \$11,451.00 pursuant to O.C.G.A. Section 44-13-100(a)(1). Debtor did not list any dependents in his petition; therefore, the use of the homestead exemption for the property at 2004 End Street, Augusta, Georgia 30909 is improper. Further,

Respondent believes that Debtor's valuation of the 2004 End Street property of \$82,451.00 is below fair market value as of the date of the petition.

WHEREFORE, Respondent respectfully requests a hearing on Movant's Motion to Avoid Judicial Lien and that the Court deny said motion.

/s/ Nathan E. Huff
Nathan E. Huff
Ga. Bar No. 773611
Attorney for Respondent
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CERTIFICATE OF SERVICE

I hereby certify that on this date I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send an email notification of such filing to all attorneys of record and by depositing a true and correct copy in the US Mail with sufficient postage affixed thereto to the parties not served electronically to the parties listed below:

Mr. Christopher E. Banks
232 Mossy Brook Way
Augusta, Georgia 30907

Roger R. Claridge, Esq.
206 Pleasant Home Rd.
Augusta, GA 30907

James C. Overstreet, Jr., Trustee
1229 Augusta West Parkway
Augusta, GA 30909

U.S. Trustee
2 East Bryan Street, Ste 725
Savannah, GA 31401

This 27th day of June, 2020.

/s/ Nathan E. Huff
Nathan E. Huff